

Message Text

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ACTION EA-14

INFO OCT-01 ISO-00 SS-20 L-03 CIAE-00 INR-10 NSAE-00

RSC-01 DODE-00 DRC-01 NSC-07 /057 W

----- 000587

R 060420Z MAR 74

FM AMEMBASSY CANBERRA

TO SECSTATE WASHDC 2713

INFO US NAVCOMSTA HAROLD E HOLT

C O N F I D E N T I A L CANBERRA 1338

E.O. 11652: GDS

TAGS: PFOR, MARR, AS US

SUBJ: EXCHANGE OF NOTES-

NORTHWEST CAPE

REF: A) CANBERRA 0989

B) CANBERRA 0774

1. EMBOFF INFORMED BY MICHAEL WILSON, ASSISTANT SECRETARY, DEFENSE POLICY BRANCH, DFA ON MARCH 5 THAT PRIME MINISTER WHITLAM HAS DECIDED SUBJECT OF EXCHANGE OF NOTES REQUIRES AUSTRALIAN LEGISLATION. WHILE SIGNING OF EXCHANGE OF NOTES CAN TAKE PLACE AFTER APPROVAL BY AUSTRALIAN EXECUTIVE COUNCIL POSSIBLY WITHIN NEXT TWO WEEKS, NOTES WOULD NOT ENTER INTO FORCE UNTIL AUSTRALIAN LEGISLATION HAS BEEN INTRODUCED, DEBATED AND PASSED BY BOTH HOUSES OF AUSTRALIAN PARLIAMENT. GOA THEREFORE WISHES TO AMEND DRAFT TEXT OF NOTE EXCHANGE AS INDICATED PARA 1.B, REF B, TO STATE EXCHANGE OF NOTES WILL ENTER INTO FORCE ON DATE WHEN INSTRUMENTS OF APPROVAL ARE EXCHANGED, I.E. AFTER PARLIAMENTARY ACTION.

2. SCENARIO FOR SIGNING WOULD BE AS FOLLOWS: PROPOSED EXCHANGE OF NOTES WOULD BE PUT ON AGENDA OF EXECUTIVE COUNCIL FOR ITS NEXT MEETING NOW SCHEDULED FOR MARCH 13. AFTER SUCH APPROVAL WHICH IS CONSIDERED PRO FORMA, EXCHANGE OF NOTES COULD BE SIGNED BY AMBASSADOR GREEN
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AND AUSTRALIAN REPRESENTATIVE, I.E. EITHER FOREIGN

MINISTER OR ACTING FOREIGN MINISTER, (THE LATTER WOULD BE PRIME MINISTER WHITLA.) AMBASSADOR GREEN HAS MADE HIMSELF AVAILABLE TO EXCHANGE NOTES PERSONALLY WITH AUSTRALIAN REPRESENTATIVE AT TIME OF MUTUAL CONVENIENCE.

3. DRAFTING OF PROPOSED AUSTRALIAN LEGISLATION AND PASSAGE OF LEGISLATION THROUGH AUSTRALIAN PARLIAMENT IS LIKELY TO BE TIME-CONSUMING PROCESS. THERE HAS BEEN A DEARTH OF PARLIAMENTARY DRAFTSMEN AND UNLESS THIS MATTER IS PUSHED TO THE TOP IN THEIR WORK, THE DRAFTING OF THIS LEGISLATION MIGHT ADD TO THE DELAY IN ITS PRESENTAION TO PARLIAMENT. EMBASSY WILL BRING THIS TO THE ATTENTION OF APPROPRIATE AUSTRALIAN OFFICIALS AND INDICATE OUR BELIEF THAT THIS LEGISLATION SHOULD RECEIVE PRIORITY SO THAT IT MAY BE PRESENTED TO PARLIAMENT SOONEST. ALTHOUGH NO ONE IS ABLE TO FORESEE COURSE OF EVENTS, IT IS HOPED THAT APPROPRIATE LEGISLATION CAN BE PASSED IN CURRENT SESSION OF PARLIAMENT, WHICH IS SCHEDULED TO CONCLUDE IN EARLY JUNE.

GREEN

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